

Attorney Docket No.: 36856.649

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Michio KADOTA

Date: March 6, 2002

Serial No.: 10/090,805

Group Art Unit: 2834

FAX RECEIVED

Filed: March 6, 2002

Examiner: M. Budd

JUL 18 2003

For: SURFACE ACOUSTIC WAVE DEVICE AND COMMUNICATION APPARATUS

TECHNOLOGY CENTER 2800

Honorable Assistant Commissioner of Patents
and Trademarks
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The owner, **MURATA MANUFACTURING COMPANY, LTD.**, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of commonly owned **U.S. Patent No. 6,429,569**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on commonly owned **U.S. Patent No. 6,429,569**, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.



Christopher A. Bennett
Reg. No. 46,710

July 18, 2003

Date

- A Credit Card Payment form in the amount of \$110.00 to pay for the fee under 37 CFR 1.20(d).

Respectfully submitted,

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Date: July 18, 2003



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